

LABOUR DEPARTMENT

The 18th January, 1985

No. 9/5/884-6 Lab/337. In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act, No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s The Executive Engineer, S. Y. L. Division No. VII, Kurukshetra (Haryana).

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA, AT AMBALA CITY (HARYANA)

Reference No. 200 of 1984

(Old No. 163/82)

SHRI KISHAN CHAND, WORKMAN AND THE MANAGEMENT OF THE EXECUTIVE
ENGINEER, S. Y. L. DIVISION NO. VII, KURUKSHETRA (HARYANA)

Present:—

None for the applicant.

Shri A. K. Malhotra, S. D. E., for the respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred,—vide clause (d) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to the Presiding Officer, Labour Court, Faridabad, between Shri Krishan Chand, workman and the management of the Executive Engineer, S. Y. L. Division No. VII, Kurukshetra. The terms of the reference are as under :—

“Whether the termination of services of Shri Krishan Chand, workman, was justified and in order? If not, to what relief is he entitled to?”

Brief facts as alleged by the parties to the disputes are as under.

Applicant alleged that he got employment with respondent on 1st August, 1976, and served up to 30th June, 1981, thereafter his services were terminated without any cause and reason.

Respondent contested the dispute and contended that the Irrigation Department is not an industry nor applicant is a workman. Applicant remained in the services of the respondent. He remained absent for one day, i.e. 12th March, 1979. When the work of the project was completed, the services of the applicant workman were found surplus, so after giving due notice of one month which was served upon the applicant his services were terminated.

This reference was received by transfer from the Presiding Officer, Labour Court, Faridabad. Notices were issued to the parties. Applicant inspite of service did not appear to contest his claim, while on the other side respondent was represented by Shri A. K. Malhotra, S. D. E., so this reference is dismissed in default and matter in question is disposed of accordingly.

Dated the 4th January, 1985.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endorsement No. 25, dated 11th January, 1985.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.